



CITY OF LODI

COUNCIL COMMUNICATION

AGENDA TITLE: Public Hearing to Accept Comments Regarding the City of Lodi's Federal Transportation Authority Section IX Application

MEETING DATE: June 2, 1993

PREPARED BY: City Manager

RECOMMENDED ACTION: That the City Council conduct a public hearing to solicit public input, and approve the submittal of the City's Section IX Grant Application for Federal Transportation Funds for Lodi's transportation system.

BACKGROUND INFORMATION: The City of Lodi became eligible, in July 1991, to receive approximately \$450,000 per year in Federal Transportation funds. The City, to obtain the funding, must submit an application to the Federal Transit Administration (FTA) describing the City's proposed transit projects. Upon approval by the FTA, and CalTrans, the City will then be able to tap into the fund of approximately \$910,800 (two-year allocation) set aside specifically for Lodi. Should the City Council determine not to forward the application for transit funds, the money will eventually be redistributed to other cities and states.

FTA will pay approximately 50% of operating costs and approximately 80% of capital and planning costs for the transportation projects. The application for the FTA funding is in the amount of \$870,680 with the balance of \$513,920 for project costs being offset by Transportation Development Act (TDA) funds.

The proposal, as submitted in the application, is for the continuation of the Dial-A-Ride demand/response program which includes the eventual replacement of three vehicles to meet the American Disabilities Act (ADA) requirements and as part of the normal vehicle rotation.

The proposal also includes a provision for the establishment of a fixed route bus system in the City as outlined in the Transit Needs Assessment and System Plan, prepared for the City by Arthur Bauer & Associates. The specific design of the system (routes, schedules, transfer points, fare structure, etc.) will be developed in the 1993-94 fiscal year with the intention of starting the new service on July 1, 1994. The proposed grant application includes funding to purchase five mini-buses, mobile radios, bus stop signs, benches and shelters, office furnishings, uniforms, and computer hardware and dispatch software. The application also includes funding for the planning, marketing and advertising required to establish the new transit system.

APPROVED: _____

THOMAS A. PETERSON
City Manager



recycled paper

Public Hearing to Accept Comments Regarding the City of Lodi's Federal
Transportation Authority Section IX Application

June 2, 1993

Page Two

Both elements of the application are in response to the City's unmet transit needs as determined at various public hearings. The proposals also correspond to the City's Transportation Improvement Program (TIP) which is on file with the Council of Governments (COG).

FUNDING: Federal Transportation Act

Respectfully submitted,



Thomas A. Peterson
City Manager

Prepared by Janet S. Keeter
Administrative Assistant to the City Manager

TAP:br

Attachments

CCCOM782/TXTA.07A

(5/25/93)

City of Lodi

TRANSPORTATION IMPROVEMENT PROGRAM

	<u>1992/93</u>	<u>1993/94</u>	<u>1994/95</u>
<u>Operating Expenses</u>	\$ 375,000	\$ 550,000	\$ 728,000
<u>Operating Revenues</u>			
TDA Funds	\$ 158,000	\$ 237,500	\$ 374,500
Parcbox Revenue	\$ 54,000	\$ 70,000	\$ 85,000
Other Revenue	\$ 5,000	\$ 5,000	\$ 5,000
FTA Section 9	\$ 158,000	\$ 237,500	\$ 263,500
<u>Capital Expenses</u>	\$ 83,115	\$ 559,600	\$ 160,500
<u>Capital Revenues</u>			
TDA Funds	\$ 83,115	\$ 111,920	\$ 32,100
FTA Section 9	\$ -0-	\$ 447,680	\$ 128,400
<u>Planning Expenses</u>			
Planning and Mktng. Study	\$ -0-	\$ 35,000	\$ -0-
<u>Planning Revenues</u>			
TDA Funds	\$ -0-	\$ 7,000	\$ -0-
FTA Section 9	\$ -0-	\$ 28,000	\$ -0-

(5/25/95)

City of Lodi

TRANSPORTATION IMPROVEMENT PROGRAM

	<u>1992/93</u>	<u>1993/94</u>	<u>1994/95</u>
<u>TRANSIT OPERATIONS</u>			
Dial-a-Ride	\$ 375,000	\$ 550,000	\$ 332,800
Fixed Route	-0-	-0-	\$ 395,200
Total	\$ 375,000	\$ 550,000	\$ 728,000
<u>TRANSIT CAPITAL</u>			
<u>Vehicles - Replacement</u>			
Dial-a-Ride	\$ 41,558	\$ 110,000	\$ 160,500
1992/93 (One Vehicle)	\$ 41,558	\$ -0-	\$ -0-
Section 9 Funding	\$ -0-	\$ -0-	\$ -0-
1993/94 (Two Vehicles)	\$ -0-	\$ 110,000	\$ -0-
Section 9 Funding	\$ -0-	\$ 88,000	\$ -0-
1994/95 (Three Vehicles)	\$ -0-	\$ -0-	\$ 160,500
Section 9 Funding	\$ -0-	\$ -0-	\$ 128,400
<u>Vehicles - Expansion</u>			
Dial-a-Ride	\$ 41,557	\$ -0-	\$ -0-
1992/93 (One Vehicle)	\$ 41,557	\$ -0-	\$ -0-
Section 9 Funding	\$ -0-	\$ -0-	\$ -0-
Fixed Route	\$ -0-	\$ 375,000	\$ -0-
1993/94 (Five Vehicles)	\$ -0-	\$ 375,000	\$ -0-
Section 9 Funding	\$ -0-	\$ 300,000	\$ -0-

(5/25/93)

City of Lodi

TRANSPORTATION IMPROVEMENT PROGRAM

	<u>1992/93</u>	<u>1993/94</u>	<u>1994/95</u>
<u>Vehicle Related Equipment</u>			
Mobile Radios, Cel. Phone	\$ -0-	\$ 8,100	\$ -0-
Section 9 Funding	\$ -0-	\$ 6,480	\$ -0-
Bus Stop Improvements			
Signs, Benches, Shelters	\$ -0-	\$ 47,500	\$ -0-
Section 9 Funding	\$ -0-	\$ 38,000	\$ -0-
<u>Dispatch & Ops. Equipment</u>			
Office Furnishings	\$ -0-	\$ 3,000	\$ -0-
Section 9 Funding	\$ -0-	\$ 2,400	\$ -0-
Computer Hardware	\$ -0-	\$ 5,000	\$ -0-
Section 9 Funding	\$ -0-	\$ 4,000	\$ -0-
Computer Software	\$ -0-	\$ 11,000	\$ -0-
Section 9 Funding	\$ -0-	\$ 8,800	\$ -0-
<u>TRANSIT PLANNING</u>			
Planning and Mktng. Study	\$ -0-	\$ 35,000	\$ -0-
Section 9 Funding	\$ -0-	\$ 28,000	\$ -0-

ADVINS/TXTA.02J

CITY OF LODI
221 WEST PINE STREET
LODI, CALIFORNIA 95240

ADVERTISING INSTRUCTIONS

SUBJECT: NOTICE OF PUBLIC HEARING - APPLICATION TO FEDERAL TRANSIT
ADMINISTRATION

PUBLISH DATES: SATURDAY, MAY 22, 1993

TEAR SHEETS WANTED: THREE

AFFIDAVIT AND BILL TO:

JENNIFER M. PERRIN, CITY CLERK

DATED: MAY 20, 1993

ORDERED BY: *Leggy Nicolini*
PSGGY NICOLINI
DEPUTY CITY CLERK

ADVINS/TXTA.02J

DECLARATION OF MAILING


On May 20, 1993 in the City of Lodi, San Joaquin County, California, I deposited in the United States mail, envelopes with first-class postage prepaid thereon, containing a copy of the Notice attached hereto, marked Exhibit "A"; said envelopes were addressed as is more particularly shown on Exhibit "B" attached hereto.

There is a regular daily communication by mail between the City of Lodi, California, and the places to which said envelopes were addressed.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on May 20, 1993, at Lodi, California.

Jennifer M. Perrin
City Clerk



Peggy Nicolini
Deputy City Clerk



CITY OF LODI

CARNEGIE FORUM
305 West Pine Street, Lodi

EXHIBIT A

NOTICE OF PUBLIC HEARING

Date: June 2, 1993

Time: 7:00 p.m.

For information regarding this Public Hearing
Please Contact:

Jennifer M. Perrin
City Clerk
Telephone: 333-6702

NOTICE OF PUBLIC HEARING

June 2, 1993

NOTICE IS HEREBY GIVEN that on Wednesday, at the hour of 7:00 p.m., or as soon thereafter as the matter may be heard, the City Council will conduct a public hearing to consider the following matter:

- a) Application to the Federal Transit Administration for operating assistance under Section 9 of the Intermodal Surface Transportation Efficiency Act of 1991.

All interested persons are invited to present their views and comments on this matter. Written statements may be filed with the City Clerk at any time prior to the hearing scheduled herein, and oral statements may be made at said hearing.

If you challenge the subject matter in court, you may be limited to raising only those issues you or someone else raised at the Public Hearing described in this notice or in written correspondence delivered to the City Clerk, 221 West Pine Street, at or prior to the Public Hearing.

By Order Of the Lodi City Council:

Jennifer M. Perrin
Jennifer M. Perrin
City Clerk

Dated: May 19, 1993

Approved as to form:

B W McNatt
Bobby W. McNatt
City Attorney

MAILING LIST
PUBLIC HEARING
TRANSPORTATION APPLICATION

EXHIBIT B

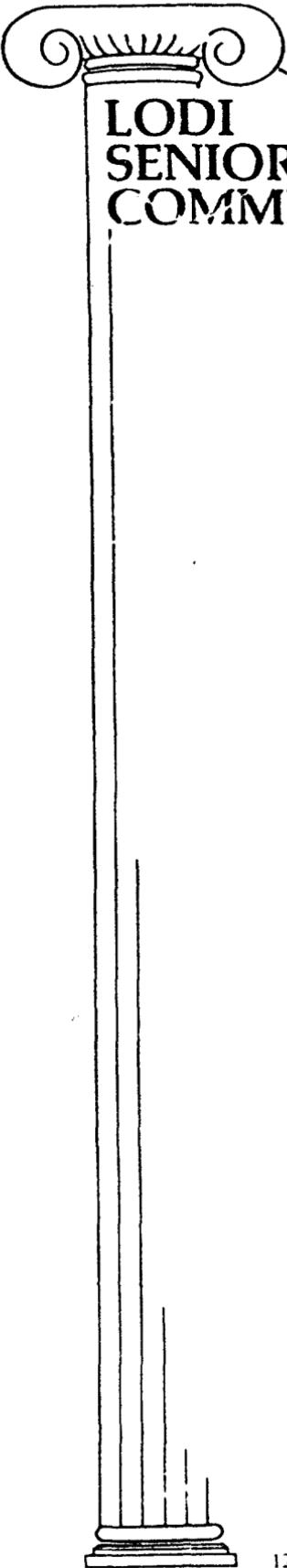
Council of Governments (COG)
1860 East Hazelton Avenue
Stockton, CA 95205

Senior Center
Hutchins Street Square
125 South Hutchins Street
Lodi, CA 95240

Loel Center
105 South Washington Street
Lodi, CA 95240

Lodi Unified School District
Atten: Jay Zimmerman, Director of Transportation
820 South Cluff
Lodi, CA 95240

Chamber of Commerce
1330 South Ham Lane #102
Lodi, CA 95242



LODI
SENIOR CITIZENS
COMMISSION

June 1, 1993

Lodi City Council Members
City of Lodi
221 W. Pine Street
Lodi CA 95240


Dear Council Members,

On behalf of the Senior Commission, it gives me great pleasure to submit this letter of support regarding the City of Lodi's Section IV Federal Transportation Administration application. Citizens of Lodi have voiced concern at the past public hearings for unmet transit needs, that Dial-a-Ride service is the only means of public transportation within the City limits. With the expansion of the transit system to include a fixed bus route, citizens can move easily and schedule appointments around transportation.

Although the Senior Commission supports the introduction of a fixed bus route system to the City, the Commission feels very strongly that the Dial-a-Ride service should continue to serve those in need of door-to-door transportation.

Thank you for taking the comments from our seniors into consideration when applying for federal grant monies.

Sincerely,



Terri Whitmire, Chairman
Senior Citizens Commission

TW/tm

COPY

CITY OF LODI - LODI TRANSIT SYSTEM

FTA SECTION 9 GRANT APPLICATION

FOR FISCAL YEARS 1993 AND 1994

CITY OF LODI - LODI TRANSIT SYSTEM
FTA SECTION 9 GRANT APPLICATION
FOR FISCAL YEAR 1993

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CITY OF LODI - LODI TRANSIT SYSTEM

LIST OF LABOR UNIONS

The City of Lodi Transit System does not have any employees that are represented by a labor union.


Thomas A. Peterson
City Manager

6/14/93
Date

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CITY OF LODI - LODI TRANSIT SYSTEM
PROGRAM OF PROJECTS AND BUDGET

URBANIZED AREA: Lodi
DESIGNATED RECIPIENT: Caltrans
GRANTEE: City of Lodi
PROGRAM NUMBER: _____

APPORTIONMENT FOR 1992/93: \$420,031
CARRYOVER FUNDS: \$490,772
TRANSFER FUNDS: -0-
TOTAL FUNDS AVAILABLE: \$910,803

I. OPERATING ASSISTANCE (50% maximum) for period of July 1 to June 30
1992/93

<u>PROJECT DESCRIPTION</u>	<u>LOCAL</u>	<u>FEDERAL</u>	<u>TOTAL</u>
Transit Operating Assistance	\$ 217,000	\$ 158,000	\$ 375,000
TOTALS	\$ 217,000	\$ 158,000	\$ 375,000

CITY OF LODI - LODI TRANSIT SYSTEM

PROGRAM OF PROJECTS AND BUDGET

URBANIZED AREA: Lodi	APPORTIONMENT FOR 1992/93: \$420,031
DESIGNATED RECIPIENT: Caltrans	CARRYOVER FUNDS: \$490,772
GRANTEE: City of Lodi	TRANSFER FUNDS: -0-
PROGRAM NUMBER: _____	TOTAL FUNDS AVAILABLE: \$910,803

I. OPERATING ASSISTANCE (50% maximum) for period of July 1 to June 30 1993/94

<u>PROJECT DESCRIPTION</u>	<u>LOCAL</u>	<u>FEDERAL</u>	<u>TOTAL</u>
Transit Operating Assistance	\$ 312,500	\$ 237,500	\$ 550,000

II CAPITAL ASSISTANCE (80% maximum) for period of July 1 to June 30 1993/94

Capital Assistance	\$ 111,920	\$ 447,680	\$ 559,600
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III PLANNING / TECHNICAL ASSISTANCE (80% maximum) for period of July 1 to June 30, 1993/94

Planning Technical Assistance	\$ 7,000	\$ 28,000	\$ 35,000
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TOTALS	\$ 431,420	\$ 713,180	\$1,144,000
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CITY OF LODI - LODI TRANSIT SYSTEM
NARRATIVE SUMMARY OF PROGRAM OF PROJECTS AND BUDGET
FOR FISCAL YEARS 1993 AND 1994 FOR
FEDERAL GRANT ASSISTANCE

I. OPERATING ASSISTANCE

Federal operating assistance in the amount of \$158,000 is being requested for the 1992/93 fiscal year. The City of Lodi's estimated transit budget for this year is \$375,000, the grant therefore represents approximately 42% of the total operating budget.

Federal operating assistance in the amount of \$237,500 is being requested for the 1993/94 fiscal year. The City of Lodi's estimated transit budget for this year is \$550,000, the grant therefore represents approximately 43% of the total operating budget.

II. CAPITAL PROJECT ASSISTANCE

Federal capital assistance in the amount \$447,680 is being requested for the 1993/94 fiscal year. The federal funds will be matched by \$111,920 in local TDA funds for a total capital budget of \$559,600. The projects to be funded under the capital improvement budget include the following:

- (1) Two replacement vehicles for the dial-a-ride system
- (2) Five expansion vehicles for the implementation of the new fixed route system for the City of Lodi's Transit System as recommended in the City's Transit Assessment and Needs Plan.
- (3) Five Mobile Radios for the new vehicles and a cellular phone for transit operations.
- (4) A variety of bus stop improvements, including approximately 100 signs, 20 benches, and 10 shelters that will be used by the new fixed route bus system.
- (5) Dispatch and operations equipment including office furnishings (desks and chairs) a computer with two terminals for dispatching and recordkeeping and computer software to assist in operations and dispatching.

III. PLANNING ASSISTANCE

Federal technical/planning assistance in the amount of \$28,000 is being requested for the 1993/94 fiscal year. This funding will be matched by \$7,000 in local funds for a total project budget of \$35,000. These funds will be used for the development of a planning and marketing study that will provide the technical basis necessary for the City of Lodi to implement a fixed route transit system and to coordinate the new fixed route service with the existing demand responsive service.

CITY OF LODI - LODI TRANSIT SYSTEM
PROJECT BUDGET WORKSHEET

FOR THE PERIOD:
GRANTEE:
DESIGNATED RECIPIENT:

July 1, 1992 - June 30, 1993
City of Lodi
Caltrans

(1) Total Operating Expense		\$ 375,000
Wages and Salaries	\$ 173,215	
Benefits	69,285	
Supplies, Materials & Services	15,000	
Maintenance and Fuel	32,000	
Insurance	36,000	
Purchased Transportation	<u>49,500</u>	
Total Operating Expense	\$ 375,000	
(2) Less Eliminations		
(a) Ineligible Expenses	\$ -0-	
(b) Non-Transportation Expenses	\$ -0-	
(c) Contra Expenses	\$ -0-	
(d) Other Exclusions	\$ -0-	
Total Eliminations		<u>(\$ -0-)</u>
(3) Eligible Operating Expenses (Line 1 - Line 2)		\$ 375,000
(4) Less Farebox and Other Revenues Not Includable as Local Share:		
Passenger Fares	\$ 54,000	
Interest on Investments	\$ 5,000	
Advertising	\$ -0-	
Total Revenues Not Included as Local Share		<u>(\$ 59,000)</u>
(5) Net Project Cost		\$ 316,000
(6) Local Share (State TDA Funds)		\$ 158,000
(7) Net Expenses Before applying for FTA Funds		\$ 158,000
(8) FTA Funds Available		\$ 526,696
(9) FTA Funds Requested		\$ 158,000

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CITY OF LODI - LODI TRANSIT SYSTEM
PROJECT BUDGET WORKSHEET

FOR THE PERIOD:

July 1, 1993 - June 30, 1994

GRANTEE:

City of Lodi

DESIGNATED RECIPIENT:

Caltrans

(1)	Total Operating Expense		\$ 550,000
	Wages and Salaries	\$ 318,120	
	Benefits	123,180	
	Supplies, Materials & Services	15,430	
	Maintenance and Fuel	47,270	
	Insurance	<u>46,000</u>	
	Total Operating Expense	\$ 550,000	
(2)	Less Eliminations		
	(a) Ineligible Expenses	\$ -0-	
	(b) Non-Transportation Expenses	\$ -0-	
	(c) Contra Expenses	\$ -0-	
	(d) Other Exclusions	\$ -0-	
	Total Eliminations		<u>(\$ -0-)</u>
(3)	Eligible Operating Expenses (Line 1 - Line 2)		\$ 550,000
(4)	Less Farebox and Other Revenues Not Includable as Local Share:		
	Passenger Fares	\$ 70,000	
	Interest on Investments	\$ 5,000	
	Advertising	\$ -0-	
	Total Revenues Not Included as Local Share		<u>(\$ 75,000)</u>
(5)	Net Project Cost		\$ 475,000
(6)	Local Share (State TDA Funds)		\$ 237,500
(7)	Net Expenses Before applying for FTA Funds		\$ 237,500
(8)	FTA Funds Available		\$ 526,696
(9)	FTA Funds Requested		\$ 237,500

CITY OF LODI - LODI TRANSIT SYSTEM

EXPENDITURE DETAIL
1992/93 and 1993/94

URBANIZED AREA: Lodi
DESIGNATED RECIPIENT: State of California
GRANTEE: City of Lodi
PROGRAM NUMBER: _____

<u>PROJECT ACTIVITIES</u>	<u>BUDGET CODE</u>	<u>FEDERAL SHARE</u>
I. <u>OPERATING ASSISTANCE</u> (50% Federal / 50% Local)		
For period from July 1, 1992 through June 30, 1993	30.09.00	\$ 158,000
For period from July 1, 1993 through June 30, 1994	30.09.00	\$ 237,500
II. <u>CAPITAL PROJECTS</u> (80% Federal / 20% Local) 1993/94		
Two (2) Replacement Vehicles for Dial-a-Ride System	11.11.14	\$ 88,000
Five (5) Expansion Vehicles for new fixed route system	11.11.14	\$ 300,000
<u>Vehicle Related Equipment</u>		
Mobile Radios, Cel. Phone	11.62.03	\$ 6,480
Bus Stop Improvements	11.32.08	
Signs, Benches, Shelters	11.32.09	\$ 38,000
	11.32.10	
<u>Dispatch & Ops. Equipment</u>		
Office Furnishings	11.42.20	\$ 2,400
Computer Hardware	11.42.07	\$ 4,000
Computer Software	11.42.08	\$ 8,800
III. <u>TRANSIT PLANNING</u> (80% Federal / 20% Local)		
Planning and Mktng. Study	41.17.00	\$ 28,000
TOTAL FEDERAL FUNDING (I, II & III)		\$ 871,180

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PROJECT BUDGET

GRANTEE: CITY OF LODI - LODI TRANSIT SYSTEM

GRANT NO. _____

BUDGET NO. _____

	FEDERAL AMOUNT	TOTAL AMOUNT
SCOPE NO.		
ACTIVITY 11.11.14		
TWO (2) REPLACEMENT VEHICLES FOR DIAL-A-RIDE SYSTEM	\$ 88,000	\$ 110,000
SCOPE NO.		
ACTIVITY 11.11.14		
FIVE (5) EXPANSION VEHICLES FOR NEW FIXED ROUTE SYSTEM	\$ 300,000	\$ 375,000
SCOPE NO.		
ACTIVITY 11.62.03		
MOBILE RADIOS, CEL. PHONE	\$ 6,480	\$ 8,100
SCOPE NO.		
ACTIVITY 11.32.08; 11.32.09; 11.32.10		
BUS STOP IMPROVEMENTS SIGNS, BENCHES, SHELTERS	\$ 38,000	\$ 47,500
SCOPE NO.		
ACTIVITY 11.42.20		
OFFICE FURNISHINGS	\$ 2,400	\$ 3,000

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	FEDERAL AMOUNT	TOTAL AMOUNT
SCOPE NO.		
ACTIVITY 11.42.07		
COMPUTER HARDWARE	\$ 4,000	\$ 5,000

SCOPE NO.		
ACTIVITY 11.42.08		
COMPUTER SOFTWARE	\$ 8,800	\$ 11,000

SCOPE NO.		
300-01 OPERATING ASSISTANCE FOR THE PERIOD JULY 1, 1992 - JUNE 30, 1993		
ACTIVITY 30.09.00	\$ 158,000	\$ 375,000

SCOPE NO.		
300-01 OPERATING ASSISTANCE FOR THE PERIOD JULY 1, 1993 - JUNE 30, 1994		
ACTIVITY 30.09.00	\$ 237,500	\$ 550,000

SCOPE NO.		
411-01 TECHNICAL CLASSIFICATION		
ACTIVITY 41.17.00		
PLANNING AND MARKETING PLAN	\$ 28,000	\$ 35,000

CITY OF LODI - LODI TRANSIT SYSTEM

12 a

PROJECT DESCRIPTION	SPECIFICATIONS COMPLETED	PROJECT MILESTONES			
		ADVERTISE FOR BIDS	OPEN BIDS	CONTRACT AWARD	CONTRACT COMPLETION
<u>TRANSIT REVENUE VEHICLES AND EQUIPMENT</u>					
Replacement Vehicles	10/93	11/93	1/94	2/94	6/94
Expansion Vehicles	10/93	11/93	1/94	2/94	6/94
Mobile Radios, Cel. Phone	10/93	11/93	1/94	2/94	6/94
Bus Stop Improvements Signs, Benches, Shelters	12/93	2/94	3/94	3/94	6/94
<u>DISPATCH & OPERATIONS EQUIPMENT</u>					
Office Furnishings	12/93	2/94	3/94	3/94	6/94
Computer Hardware	1/94	2/94	3/94	4/94	6/94
Computer Software	1/94	2/94	3/94	4/94	6/94
<u>TRANSIT PLANNING</u>					
Planning and Marketing Study	9/93	10/93	11/93	12/93	6/94

CITY OF LODI - LODI TRANSIT SYSTEM

SHORT RANGE TRANSIT PLAN STATUS/INVOLVEMENT OF PRIVATE SECTOR IN THE DEVELOPMENT OF THE PROGRAM OF PROJECTS


The City of Lodi - Lodi Transit System, working in conjunction with the San Joaquin Council of Governments hired a consultant to prepare a Transit Needs Assessment and System Plan in 1992. That plan recommended the development of a fixed route transit system component that would work in conjunction with the existing demand responsive transit system to provide expanded services to the citizens of the Lodi urbanized area. The plan also made recommendations regarding the expansion of the fleet and replacement of some of the existing vehicles to meet capacity needs and ADA requirements.

During the 1992/93 fiscal year the San Joaquin Council of Governments will prepare an updated Short Range Transit Plan for the City of Lodi - Lodi Transit System that will incorporate the recommendations of the Transit Needs Assessment and System Plan.

PROTECTION OF THE ENVIRONMENT

I, Thomas A. Peterson hereby certify that all items on the program of projects and budget included with this application are considered Class 2 categorical exclusions in that they will not have a "significant" or "substantial" impact on the environment as defined in UMTA Regulations 23 CFR, Part 771.

This project qualifies for a Categorical Exclusion under the National Environmental Policy Act of 1969 and for a Categorical Exemption under the California Environmental Quality Act



Thomas A. Peterson
City Manager
City of Lodi

6/14/93

Date

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CITY OF LODI - LODI TRANSIT SYSTEM
JUSTIFICATION FOR OPERATING ASSISTANCE

1. OPERATOR: Lodi Transit System
2. PROJECT NAME: Operating Assistance
3. PROJECT DESCRIPTION: Mass Transportation Services
4. PROJECT CLASS: Not applicable
5. SRTP PAGE REFERENCE: n/a
6. PROPOSED FEDERAL FUNDING: \$158,000 FTA Section 9
7. PROPOSED LOCAL MATCH: \$ 237,000 (TDA, Farebox, other)
8. TOTAL PROJECT COST: \$ 375,000
9. PRIOR FTA/UMTA FUNDING: None
10. ENVIRONMENTAL DOCUMENT TYPE AND STATUS: n/a
11. COMPLIANCE WITH PRIVATE SECTOR PARTICIPATION REQUIREMENT
 - a. Was the private sector involved in the development of this project, as set forth by your adopted policy?
☐ No ☒ Yes
 - b. Were proposals received from the private sector to operate, construct or otherwise provide all or part of the above named projects?
☒ No ☐ Yes

All of the capital projects will be bid through the private sector. Many of the supplies and equipment used in the operation of the transit system are purchased from private sector providers.
 - c. Are there impediments affecting your ability to contract from the above named project?
☒ No ☐ Yes; SRTP Page Reference

If "yes", have you taken measures to address the impact of these impediments? _____ Reference _____

- d. Have you received any formal complaints from the private sector regarding this project?

 X No Yes

If "yes", have you taken measures to address the impact of these impediments? Reference

12. PLANNING JUSTIFICATION

The City of Lodi's transit operating budget for the 1992/93 fiscal year is \$375,000. Federal Assistance is requested in the amount of \$158,000, approximately 42% of the total. The City of Lodi is experiencing fiscal difficulties due to the economic recession and cutbacks in state funding. As a result City general fund revenues are not available to assist in funding operating deficits. The City of Lodi is applying for \$158,000 to offset operating deficits.

CITY OF LODI - LODI TRANSIT SYSTEM

JUSTIFICATION FOR OPERATING ASSISTANCE

1. OPERATOR: Lodi Transit System
2. PROJECT NAME: Operating Assistance
3. PROJECT DESCRIPTION: Mass Transportation Services
4. PROJECT CLASS: not applicable
5. SRTP PAGE REFERENCE: n/a
6. PROPOSED FEDERAL FUNDING: \$237,500 FTA Section 9
7. PROPOSED LOCAL MATCH: \$ 312,500 (TDA, farebox, other)
8. TOTAL PROJECT COST: \$ 550,000
9. PRIOR FTA/UMTA FUNDING: None
10. ENVIRONMENTAL DOCUMENT TYPE AND STATUS: n/a
11. COMPLIANCE WITH PRIVATE SECTOR PARTICIPATION REQUIREMENT
 - a. Was the private sector involved in the development of this project, as set forth by your adopted policy?
☐ No ☒ Yes
 - b. Were proposals received from the private sector to operate, construct or otherwise provide all or part of the above named projects?
☒ No ☐ Yes

All of the capital projects will be bid through the private sector. Many of the supplies and equipment used in the operation of the transit system are purchased from private sector providers.
 - c. Are there impediments affecting your ability to contract from the above named project?
☒ No ☐ Yes; SRTP Page Reference

If "yes", have you taken measures to address the impact of these impediments? _____ Reference _____

- d. Have you received any formal complaints from the private sector regarding this project?

 X No Yes

If "yes", have you taken measures to address the impact of these impediments? Reference

12. PLANNING JUSTIFICATION

The City of Lodi's transit operating budget for the 1992/93 fiscal year is \$550,000. Federal Assistance is requested in the amount of \$237,500, approximately 43% of the total. The City of Lodi is experiencing fiscal difficulties due to the economic recession and cutbacks in state funding. As a result City general fund revenues are not available to assist in funding operating deficits. The City of Lodi is applying for \$237,500 to offset operating deficits.

CITY OF LODI - LODI TRANSIT SYSTEM

JUSTIFICATION FOR CAPITAL GRANT PROJECTS

1. OPERATOR: Lodi Transit System
2. PROJECT NAME: Capital Grant Assistance
3. PROJECT DESCRIPTION: Mass Transportation Services
4. PROJECT CLASS: not applicable
5. SRTP PAGE REFERENCE: n/a
6. PROPOSED FEDERAL FUNDING: \$447,680 FTA Section 9
7. PROPOSED LOCAL MATCH: \$ 111,920 (TDA)
8. TOTAL PROJECT COST: \$ 559,600
9. PRIOR FTA/UMTA FUNDING: None
10. ENVIRONMENTAL DOCUMENT TYPE AND STATUS: n/a
11. COMPLIANCE WITH PRIVATE SECTOR PARTICIPATION REQUIREMENT
 - a. Was the private sector involved in the development of this project, as set forth by your adopted policy?
_____ No X Yes
 - b. Were proposals received from the private sector to operate, construct or otherwise provide all or part of the above named projects?
 X No _____ Yes

All of the capital projects will be bid through the private sector. Many of the supplies and equipment used in the operation of the transit system are purchased from private sector providers.
 - c. Are there impediments affecting your ability to contract from the above named project?
 X No _____ Yes; SRTP Page Reference

If "yes", have you taken measures to address the impact of these impediments? _____ Reference _____

- d. Have you received any formal complaints from the private sector regarding this project?

 X No Yes

If "yes", have you taken measures to address the impact of these impediments? Reference

12. PLANNING JUSTIFICATION

The City of Lodi - Lodi Transit System, working in conjunction with the San Joaquin Council of Governments hired a consultant to prepare a Transit Needs Assessment and System Plan in 1992. That plan recommended the development of a fixed route transit system component that would work in conjunction with the existing demand responsive transit system to provide expanded services to the citizens of the Lodi urbanized area. The plan also made recommendations regrading the expansion of the fleet and replacement of some of the existing vehicles to meet capacity needs and ADA requirements.

In order to meet the recommendations of the plan the City has approved the following capital improvements for the 1993/94 fiscal year:

- (1) Two replacement vehicles for the dial-a-ride system
- (2) Five expansion vehicles for the implementation of the new fixed route system for the City of Lodi's Transit System as recommended in the City's Transit Assessment and Needs Plan.
- (3) Five Mobile Radios for the new vehicles and a cellular phone for transit operations.
- (4) A variety of bus stop improvements, including approximately 100 signs, 20 benches, and 10 shelters that will be used by the new fixed route bus system.
- (5) Dispatch and operations equipment including office furnishings (desks and chairs) a computer with two terminals for dispatching and recordkeeping and computer software to assist in operations and dispatching.

CITY OF LODI - LODI TRANSIT SYSTEM

SUPPLEMENTAL EXHIBITS / INFORMATION

The following narrative explains the supplemental exhibit inclusions with this application and meets the supplemental exhibit requirements.

A. Labor: Included with this application is a list of the labor unions representing the City of Lodi Transit System employees. This is provided to meet the Section 13(c) certifications required by the Department of Labor. The labor union listing also includes a statement that implementation of the program of projects will not have any effect on the collective bargaining unit represented employees.

B. Private Enterprise: This application includes a description of existing private mass transportation companies in the service area and a certification of the City of Lodi Transit System compliance with Private Sector Participation.

As a result of the actions described above, the City of Lodi Transit System has met the requirements of the Private Sector Participation Policy. A signed certification to that effect is contained in this application.

C. Protection of the Environment: All items on the program of projects and budget included with this application are considered Class 2 categorical exclusions in that they will not have a "significant" or "substantial" impact on the environment as defined in UMTA Regulation 23 CFR Part 721. A certification to this effect has been included with this application.

D. Civil Rights: Certification and Assurances of compliance with all regulations, laws and guidelines with respect to Civil Rights Programs have been included and are a part of this application. Copies of Title VI and Equal Opportunity reports are also included. A description of the City's Disadvantaged Business Enterprise (DBE) Program has also been included.

CITY OF LODI - LODI TRANSIT SYSTEM

CERTIFICATION OF PUBLIC HEARING

On Wednesday, June 2, 1993, the City of Lodi, Lodi Transit System held a public hearing to solicit comments on the proposed 1992/93 and 1993/94 fiscal year Section 9 Program of Projects and budget. This hearing was duly advertised 12 days prior to the date held and the proposed projects and budget were made available for public inspection at the City of Lodi.

Three comments were received. Therefore the program of projects and budget included in this application is considered the final version to be submitted to the Federal Transit Administration for application processing.



Thomas A. Peterson
City Manager

6/14/93

Date

CITY OF LODI - LODI TRANSIT SYSTEM

CERTIFICATION OF PUBLIC HEARING

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Three comments were received. Therefore the program of projects and budget included in this application is considered the final version to be submitted to the Federal Transit Administration for application processing.



Thomas A. Peterson
City Manager

6/14/93
Date

PROOF OF PUBLICATION

(2015.5 C.C.P.)

STATE OF CALIFORNIA,

County of San Joaquin.

I am a citizen of the United States and a resident of the County aforesaid; I am over the age of eighteen years, and not a party to or interested in the above-entitled matter. I am the principal clerk of the printer of the Lodi News-Sentinel, a newspaper of general circulation, printed and published daily, except Sundays and holidays, in the City of Lodi, California, County of San Joaquin, and which newspaper has been adjudged a newspaper of general circulation by the Superior Court, Department 3, of the County of San Joaquin, State of California, under the date of May 26th, 1953, Case Number 65990; that the notice, of which the annexed is a printed copy (set in type not smaller than nonpareil), has been published in each regular and entire issue of said newspaper and not in any supplement thereof on the following dates, to-wit:

May 22,

all in the year 19⁹³.....

I certify (or declare) under penalty of perjury that the foregoing is true and correct.

Dated at Lodi, California, this 22nd day of

May, 19⁹³


Signature

This space is for the County Clerk's Filing Stamp

Proof of Publication of

City of Lodi
Notice of Public Hearing
Application to Federal Transit
Administration

NOTICE OF PUBLIC HEARING JUNE 2, 1993

NOTICE IS HEREBY GIVEN that on Wednesday, at the hour of 7:00 p.m., or as soon thereafter as the matter may be heard, the City Council will conduct a public hearing to consider the following matter:

a) Application to the Federal Transit Administration for operating assistance under Section 9 of the Intermodal Surface Transportation Efficiency Act of 1991.

All interested persons are invited to present their views and comments on this matter. Written statements may be filed with the City Clerk at any time prior to the hearing scheduled herein, and oral statements may be made at said hearing.

If you challenge the subject matter in court, you may be limited to raising only those issues you or someone else raised at the Public Hearing described in this notice or in written correspondence delivered to the City Clerk, 221 West Pine Street, at or prior to the Public Hearing.

By Order Of the Lodi City Council:
JENNIFER M. PERRIN

City Clerk

Dated: May 19, 1993

Approved as to form:
BOBBY W. McNATT

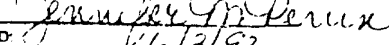
City Attorney

May 22, 1993

— 3880

THE FOREGOING DOCUMENT IS CERTIFIED
TO BE A CORRECT COPY OF THE ORIGINAL
ON FILE IN THIS OFFICE.

JENNIFER M. PERRIN
CITY CLERK, CITY OF LODI

BY 
DATED: 6/6/93

PROOF OF PUBLICATION

22 b

PUBLIC HEARING TO ACCEPT COMMENTS REGARDING
THE CITY OF LODI'S FEDERAL TRANSPORTATION AUTHORITY
SECTION IX APPLICATION

June 2, 1993

Administrative Assistant to the City Manager Keeter presented a staff report regarding the matter and informed the City Council that James Brown with James Brown and Associates and Nancy Miller with San Joaquin County Council of Governments (COG) were present in the audience to answer any questions.

Mayor Pennino opened the hearing to the public and the following persons spoke in support of the matter:

- a) Carol Alimonte, 412-1/2 East Oak Street, Lodi; and
- b) Lillian Goldsmith, 1830 South Hutchins Street, #507, Lodi.

Further, Mayor Pennino read a letter of support that had been received from Chairman Terri Whitmire of the Lodi Senior Citizens Commission to be entered into the official records.

There being no one else wishing to speak on the matter, the Mayor closed the public portion of the hearing.

Following discussion among the City Council and staff, the City Council, on motion of Council Member Sieglock, Davenport second, unanimously approved the submittal of the City's Section IX Grant Application for Federal Transportation Funds for Lodi's transportation system.

Attest:


Jennifer M. Perrin
City Clerk

Note: Please accept this temporarily as the minutes for the June 2, 1993 City Council meeting in regards to the public hearing described above. The long minutes will not be completed until a couple of weeks; however, they will be mailed to you as soon as they are finalized.

ADVINS/TXTA.02J

CITY OF LODI
221 WEST PINE STREET
LODI, CALIFORNIA 95240

ADVERTISING INSTRUCTIONS

SUBJECT: NOTICE OF PUBLIC HEARING - APPLICATION TO FEDERAL TRANSIT
ADMINISTRATION

PUBLISH DATES: SATURDAY, MAY 22, 1993

TEAR SHEETS WANTED: THREE

AFFIDAVIT AND BILL TO:

JENNIFER M. PERRIN, CITY CLERK

DATED: MAY 20, 1993

ORDERED BY: *Peggy Nicolini*
PEGGY NICOLINI
DEPUTY CITY CLERK

ADVINS/TXTA.02J

DECLARATION OF MAILING


On May 20, 1993 in the City of Lodi, San Joaquin County, California, I deposited in the United States mail, envelopes with first-class postage prepaid thereon, containing a copy of the Notice attached hereto, marked Exhibit "A"; said envelopes were addressed as is more particularly shown on Exhibit "B" attached hereto.

There is a regular daily communication by mail between the City of Lodi, California, and the places to which said envelopes were addressed.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on May 20, 1993, at Lodi, California.

Jennifer M. Perrin
City Clerk



Peggy Nicolini
Deputy City Clerk

DEC#01/TXTA.FRM

EXHIBIT A



CITY OF LODI

CARNEGIE FORUM
305 West Pine Street, Lodi

NOTICE OF PUBLIC HEARING

Date: June 2, 1993

Time: 7:00 p.m.

For information regarding this Public Hearing
Please Contact:

Jennifer M. Perrin
City Clerk

Telephone: 333-6702

NOTICE OF PUBLIC HEARING

June 2, 1993

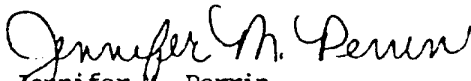
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All interested persons are invited to present their views and comments on this matter. Written statements may be filed with the City Clerk at any time prior to the hearing scheduled herein, and oral statements may be made at said hearing.

If you challenge the subject matter in court, you may be limited to raising only those issues you or someone else raised at the Public Hearing described in this notice or in written correspondence delivered to the City Clerk, 221 West Pine Street, at or prior to the Public Hearing.

By Order Of the Lodi City Council:


Jennifer M. Perrin
City Clerk

Dated: May 19, 1993

Approved as to form:



Bobby W. McNatt
City Attorney

EXHIBIT B

MAILING LIST
PUBLIC HEARING
TRANSPORTATION APPLICATION

Council of Governments (COG)
1860 East Hazelton Avenue
Stockton, CA 95205

Senior Center
Hutchins Street Square
125 South Hutchins Street
Lodi, CA 95240

Loel Center
105 South Washington Street
Lodi, CA 95240

Lodi Unified School District
Atten: Jay Zimmerman, Director of Transportation
820 South Cluff
Lodi, CA 95240

Chamber of Commerce
1330 South Ham Lane #102
Lodi, CA 95242

7

CITY OF LODI - LODI TRANSIT SYSTEM
SECTION 9 CERTIFICATION

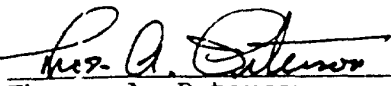
Certification is given by recipient, herein the City of Lodi, with respect to its application for assistance pursuant to Section 9 of the Urban Mass Transportation Act of 1964, as amended (49 U.S.C. S1601 et seq.) (the UMT Act"), filed with the Urban Mass Transportation Administration (UMTA), as to the following:

- A. That it has or will have the legal, financial, and technical capacity to carry out the proposed program of projects and budget;
- B. That it has or will have satisfactory continuing control, through the operation or lease otherwise, over the use of the facilities and equipment, and will maintain such facilities and equipment;
- C. That it will comply with the provision for elderly and handicapped half-fare as prescribed by Section 5(m) of the UMT Act;
- D. That it will give the rate required by Section 5 (m) of this Act to any person presenting a Medicare card duly issued to that person pursuant to Title II or Title XVIII of the Social Security Act;
- E. In carrying out any procurement under Section 9, that it will use competitive procurement processes as defined by UMTA or, for procurement of associated capital maintenance only, the sole source provisions detailed in Appendix D; will not utilize exclusionary or discriminatory specifications in the procurement; and will carry out the procurement in compliance with applicable Buy America provisions;
- F. That it has complied with the following requirements of Section 9(f) in that it has:
 - a. Made available, to the public, information concerning the amount of funds available under Section 9 and the program of projects and budget that the recipient proposers to undertake with such funds;
 - b. Developed a proposed program of projects and budget concerning activities to be funded in consultation with interested parties, including private transportation providers;
 - c. Published a proposed program of projects and budget in such a manner to afford affected citizens, private transportation providers and, as appropriate, local elected officials an opportunity to examine its content and to submit comments on

the proposed program of projects and budget and on the performance of the recipient;

- d. Afforded an opportunity of a public hearing to obtain the views of citizens on the proposed program of projects and budget;
 - e. Considered comments and views, particularly those of private transportation providers, and, if deemed appropriate, modified the proposed program of projects and budget; and
 - f. Made the final program of projects and budget available to the public.
- G. That it has available and will provide the required amount of funds in accordance with Section 9(k)(1) of the UMT Act, and will comply with the requirements of Sections 8 and 16 of the UMT Act.
- H. That it has a locally developed process to solicit and consider public comment prior to raising fares or implementing a major function of transit service.
- I. That the organization to receive benefits directly from the Section 9 grant is subject to the uniform system of accounts and records and has submitted the latest required Section 15 report of financial and operating data as prescribed in Section 15 of the UMT Act and further defined in UMTA regulations (49 C.F.R. Part 630).
- J. That any proposed project for the acquisition of or investment in rolling stock is in conformance with UMTA rolling stock guidelines.
- K. That any capital expenditure proposed for funding under the 90% or 95% Federal match provisions of Section 16(e) will be in conformance with the requirements of these provisions; and that any asset acquired or improved under such provisions will remain in the specialized service to which it was originally dedicated for its useful life.

The provisions of 18 U.S.C. §10001, apply to any certification or submissions under this section.


Thomas A. Peterson
City Manager

6/14/93
Date


City Attorney

6-15-93
Date

7

RESOLUTION NO. 93-62
=====

A RESOLUTION OF THE LODI CITY COUNCIL
AUTHORIZING THE CITY OF LODI TO FILE ALL APPLICATIONS
WITH THE DEPARTMENT OF TRANSPORTATION, UNITED STATES OF AMERICA,
FOR GRANTS UNDER THE
URBAN MASS TRANSPORTATION ACT OF 1964, AS AMENDED

=====

WHEREAS, the Secretary of Transportation is authorized to make grants for mass transportation planning; and

WHEREAS, all contracts for financial assistance will impose certain obligations upon the applicant, including the provision by it of the local share of the project(s) cost; and

WHEREAS, it is required by the U.S. Department of Transportation in accordance with the provisions of Title VI of the Civil Rights Act of 1964, that in connection with the filing of an application under the Federal Transit Act (FTA), the applicant give an assurance that it will comply with Title VI of the Civil Rights Act of 1964 and the U.S. Department of Transportation thereunder; and

WHEREAS, it is the goal of the applicant that minority business enterprise (disadvantaged business enterprise and women's business enterprise) be utilized to the fullest extent possible in connection with this/these project(s), and that definite procedures shall be established and administered to ensure that minority business shall have the maximum feasible opportunity to compete for contracts when procuring construction contracts, supplies, equipment contracts; or consultant and other services;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Lodi:

1. That the City Manager is authorized to execute and file applications on behalf of the City of Lodi with the U.S. Department of Transportation to aid in the financing of all planning, capital, training, demonstration, and/or operating assistance projects.
2. That the City Manager is authorized to execute and file with such applications an assurance or any other document required by the U.S. Department of Transportation effectuating the purposes of Title VI of the Civil Rights Act of 1964 or any other requirements of the Federal Transit Act.
3. That the City Manager is authorized to furnish such additional information as the U.S. Department of Transportation may require in connection with the application for the projects.

4. That the City Manager is authorized to set forth and execute affirmative minority business (disadvantaged business enterprise and women's business enterprise) policies and procedures in connection with the procurement needs of all projects.
5. That the City Manager is authorized to execute grant agreements on behalf of the City of Lodi with the U.S. Department of Transportation for aid in the financing of all planning, capital, training, demonstration, and/or operating assistance projects.

Dated: May 19, 1993

=====

I hereby certify that Resolution No. 93-62 was passed and adopted by the Lodi City Council in a regular meeting held May 19, 1993 by the following vote:

Ayes: Council Members - Davenport, Mann, Sieglock, Snider,
and Pennino (Mayor)

Noes: Council Members - None

Absent: Council Members - None

Jennifer M. Perrin ^{CP}
Jennifer M. Perrin
City Clerk

The Foregoing Document is Certified
To Be A Correct Copy Of The Original
On File In This Office.

Peggy Nicolini
Deputy City Clerk, City Of Lodi

By *Peggy Nicolini*
Dated: 5-21-93

93-62

CITY OF LODI - LODI TRANSIT SYSTEM

SECTION 15 REPORT

This is the first year that the City of Lodi has been eligible for Section 9 assistance. Therefore, Section 15 reporting is not required until the 1993/94 fiscal year.

CITY OF LODI - LODI TRANSIT SYSTEM

COORDINATION OF TRANSIT SERVICES ASSURANCE

The City of Lodi hereby assures that it has complied with the requirements of Section 9(f)(5) of the Federal Transit Act Amendments of 1991 in that it has taken into account the need to coordinate transit services assisted from other federal sources and investigated the possibility of such coordination during the development of its annual program.




Thomas A. Peterson
City Manager

6/14/93
Date

CITY OF LODI - LODI TRANSIT SYSTEM
TRANSIT SECURITY PROJECTS CERTIFICATION ASSURANCE

The City of Lodi hereby certifies that expenditures for transit security projects amounting to one (1) percent of the funds received for each fiscal year under Section 9/9B of the Federal Transit Act Amendments of 1991 are not necessary.



Thomas A. Peterson
City Manager

6/14/93

Date

CITY COUNCIL

PHILLIP A. PENNINO, Mayor
JACK A. SIEGLOCK
Mayor Pro Tempore
RAY G. DAVENPORT
STEPHEN J. MANN
JOHN R. (Randy) SNIDER

CITY OF LODI

CITY HALL, 221 WEST PINE STREET
P.O. BOX 3006
LODI, CALIFORNIA 95241-1910
(209) 334-5634
FAX (209) 333-6795

THOMAS A. PETERSON
City Manager
JENNIFER M. PERRIN
City Clerk
BOB McNATT
City Attorney

June 14, 1993

Mr. Thomas A. Peterson
City Manager
City of Lodi
221 Pine Street
P. O. Box 3006
Lodi, California 95241-1910

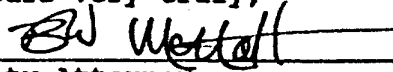
Dear Mr. Peterson:

This communication will service as the requisite opinion of counsel to be filed with the Federal Transit Administration, United States Department of Transportation, in connection with the application of the City of Lodi for federal financial assistance pursuant to the provisions of Section 9 of the Urban Mass Transportation Act of 1964, as amended (the "Act"), for planning, capital and operating assistance projects. I understand that the City of Lodi has been duly designated as a recipient in accordance with the provisions of Section 9 of the Act, and that the Federal Transportation Agency has concurred in and acknowledged that designation. The legal authority for the City of Lodi to carry out the planning, operating and capital assistance projects directly, by lease, contract or otherwise is set forth below.

1. The City of Lodi is authorized pursuant to California Government Code Sections 53700 et seq., to provide and assist public transportation by acquisition, construction and operation of existing facilities. This assistance may be provided directly by the City of Lodi or by lease arrangements with other parties.
2. The authority of the City of Lodi to provide for its share of the project(s) funds is established in the City of Lodi's annual budget.

3. I am of the legal opinion that except as herein stated, there is no legal impediment to the making of applications for Section 9 assistance. Furthermore, as a result of my examination, I find that there is no pending or threatened litigation or other action which might in any way adversely affect the proposed project or the ability of the City of Lodi to carry out such a project.

Yours very truly,



City Attorney
City of Lodi

CITY COUNCIL

PHILLIP A. PENNINO, Mayor
JACK A. SIEGLOCK
Mayor Pro Tempore
RAY G. DAVENPORT
STEPHEN J. MANN
JOHN R. (Randy) SNIDER

CITY OF LODI

CITY HALL, 221 WEST PINE STREET
P.O. BOX 3006
LODI, CALIFORNIA 95241-1910
(209) 334-5634
FAX (209) 331-6795

THOMAS A. PETERSON
City Manager
JENNIFER M. PERRIN
City Clerk
BOB McNATT
City Attorney

June 14, 1993

Mr. Stewart F. Taylor
Regional Administrator
Federal Transit Administration
211 Main Street, Room 1160
San Francisco, California 94105

SUBJECT: INTERGOVERNMENTAL REVIEW CERTIFICATION
FTA SECTION 9 (C 9500.1)
FISCAL YEAR 1992/93 & 1993/94 GRANT APPLICATION

Dear Mr. Taylor:

Certification is hereby given by the City of Lodi, the Applicant, with respect to its Application for Assistance, pursuant to Section 9 of the Urban Mass Transportation Act of 1964, as amended, filed with the Federal Transit Administration (FTA) that the recipient has complied with the provision of 49 CFR Part 17, Intergovernmental Review of Department of Transportation Programs and Activities.

Sincerely,



Thomas A. Peterson
City Manager

CITY COUNCIL

PHILLIP A. PENNINO, Mayor
JACK A. SIEGLOCK
Mayor Pro Tempore
RAY G. DAVENPORT
STEPHEN J. MANN
JOHN R. (Randy) SNIDER

CITY OF LODI

CITY HALL, 221 WEST PINE STREET
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LODI, CALIFORNIA 95241-1910
(209) 334-5634
FAX (209) 333-6795

THOMAS A. PETERSON
City Manager
JENNIFER M. PERRIN
City Clerk
BOB McNATT
City Attorney

June 14, 1993

Mr. Stewart F. Taylor
Regional Administrator
Federal Transit Administration
211 Main Street, Room 1160
San Francisco, California 94105

SUBJECT: STANDARD ASSURANCES
FTA SECTION 9 (C 9100.1B)
FISCAL YEAR 1992/93 & 1993/94 GRANT APPLICATION

Dear Mr. Taylor:

The City of Lodi hereby certifies that it will comply with all Federal statutes, regulations, Executive orders and administrative requirements applicable to applications made to and grants received from the Federal Transit Administration under Sections 3, 3(a)(1)(C), 4(i), 6, 8, 9, 9B, 10, 16, 18 or for human resource assistance under Section 20 of the Urban Mass Transportation Act of 1964, as amended, as well as for transit related projects under the Federal Aid Urban Systems and Interstate Transfer Programs (Sections 142, and 103(e)(4), respectively, of Title 23 of the United States Code).

The provisions of Section 1001 of Title 18, U.S.C., apply to all certifications and submissions in connection with applications made to and grants received from FTA.

The applicant certifies or affirms the truthfulness and accuracy of the contents of the statements submitted on or with this certification and understands that the provisions of 31 U.S.C. Section 3801 et. seq. are applicable thereto.

Sincerely,



Thomas A. Peterson
City Manager

Letter to Stewart Taylor
Regional Administrator, FTA
June __, 1993
Page 2 of 2

The undersigned chief legal council for the City of Lodi hereby certifies that the City of Lodi has authority under State and local law to comply with the subject assurances and that the certification has been legally made.

BW Wood
City Attorney
City of Lodi

6-15-93
Date

**DRUG-FREE WORKPLACE ACT CERTIFICATION
FOR A PUBLIC OR PRIVATE ENTITY**

1. The City of Lodi certifies that it will provide a drug-free workplace by:
 - a. Publishing a statement notifying employees that the unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance is prohibited in the Applicant's workplace and specifying the actions that will be taken against employees for violation of such prohibition;
 - b. Establishing an ongoing drug-free awareness program to inform employees about--
 - 1) The dangers of drug abuse in the workplace;
 - 2) The Applicant's policy of maintaining a drug-free workplace;
 - 3) Any available drug counseling, rehabilitation, and employee assistance programs; and,
 - 4) The penalties that may be imposed upon employees for drug abuse violations occurring in the workplace;
 - c. Making it a requirement that each employee to be engaged in the performance of the grant or cooperative agreement be given a copy of the statement required by paragraph a;
 - d. Notifying the employee in the statement required by paragraph a. that, as a condition of employment under the grant or cooperative agreement, the employee will--
 - 1) Abide by the terms of the statement; and
 - 2) Notify the employer in writing of his or her conviction for a violation of a criminal drug statute occurring in the workplace no later than five calendar days after such conviction;
 - e. Notifying the Federal agency in writing, within ten calendar days after receiving notice under subparagraph d.2) from an employee or otherwise receiving actual notice of such conviction. Employers of convicted employees must provide notice, including position title, to every project officer or other designee on whose project activity the convicted employee was working, unless the Federal agency has designated a central point for the receipt of such notices. Notice shall include the identification number(s) of each affected grant or cooperative agreement.
 - f. Taking one of the following actions, within 30 calendar days of receiving notice under subparagraph d.2), with respect to any employee who is so convicted--

- 1) Taking appropriate personnel action against such an employee, up to and including termination, consistent with the requirements of the Rehabilitation Act of 1973, as amended; or
 - 2) Requiring such employee to participate satisfactorily in a drug abuse assistance or rehabilitation program approved for such purposes by a federal, state, or local health, law enforcement, or other appropriate agency;
- g. Making good faith effort to continue to maintain a drug-free workplace through implementation of paragraphs a, b, c, d, e, and f.
2. The Applicant's headquarters is located at the following address.

Name of Applicant: City of Lodi
Address: 221 West Pine Street
City: Lodi
County: San Joaquin
State: California
Zip Code: 95241-1910



Thomas A. Peterson
City Manager
City of Lodi

June 14, 1993

**CERTIFICATION
OF
RESTRICTIONS ON LOBBYING**

I, Thomas A. Peterson, City Manager, hereby certify on behalf of the City of Lodi that:

1. No Federal appropriated funds have been paid, or will be paid by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of an agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the award of any Federal contract, the making of any Federal grant, the making of any Federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal contract, grant, loan, or cooperative agreement.
2. If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress or an employee of a Member of Congress in connection with this Federal contract, grant, loan, or cooperative agreement, the undersigned shall compete and submit Standard Form LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions.
3. The undersigned shall require that the language of this certification be included in the award documents for all subawards at all tiers (including subcontracts, subgrants, and contracts under grants, loans, and cooperative agreements) and that all subrecipients shall certify and disclose accordingly.

This certification is a material representation of fact upon which reliance is placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by Section 1352, Title 31, U.S. Code. Any person who fails to file the required certification shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.

Adopted this 14th day of June, 1993

By: Thomas A. Peterson
Thomas A. Peterson, City Manager

CITY OF LODI - LODI TRANSIT SYSTEM

CERTIFICATION OF COMPLIANCE WITH PRIVATE SECTOR PARTICIPATION

The following is the policy of the Lodi Transit System with regard to private sector participation:

It is the policy of the Lodi Transit System in the development of plans and programs to be funded under the Urban Mass Transportation Act of 1964, as amended to:

- * Provide reasonable notice to and early consultation with private transportation providers regarding the Lodi Transit System's service planning process.
- * Perform periodic examinations, no more than three years apart, of each Lodi Transit System service and route to determine if it could be more efficiently operated by the private enterprise sector;
- * Analyze new and restructured services provided by the City of Lodi Transit System to determine if they could be more efficiently operated by a private enterprise;
- * Establish a two step resolution process, as follows:
 1. Decisions related to the implementation of this policy can be appealed, in writing, to the Lodi Transit System General Manager, who will respond in writing;
 2. Should the response not be satisfactory to the appealing party, said response can be appealed, in writing, to the Lodi City Council through the City Manager, who will respond in writing. The Council's response shall conclude the resolution process.

The City of Lodi complies with the federal requirements for private sector participation.



Thomas A. Peterson
City Manager
City of Lodi

6/14/93
Date

CITY OF LODI - LODI TRANSIT SYSTEM

DESCRIPTION OF EXISTING PRIVATE MASS TRANSPORTATION PROVIDERS

Greyhound Greyhound Lines operates numerous routes on a daily basis and also provides charter service. No reservations are needed and service is available to Sacramento, Los Angeles, San Jose with connections to all major cities in California and the United States.

Supercab Supercab provides taxi service in the Lodi and Galt area with 24 hour a day service which includes service to area airports and package delivery service.

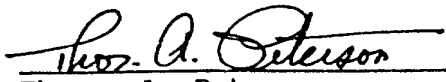
Yellow Cab Company Yellow Cab provides taxi service in the Lodi area.

CITY OF LODI - LODI TRANSIT SYSTEM

504 CERTIFICATIONS

CERTIFICATION OF SPECIAL EFFORTS TO PROVIDE TRANSPORTATION
THAT HANDICAPPED PERSONS CAN USE

The City of Lodi hereby certifies that special efforts are being made in its service area to provide transportation that handicapped persons, including wheelchair users and semi-ambulatory persons, can use. For recipients of funds under sections 3, 5, 9 of the Urban Mass Transportation Act of 1964, as amended (UMTA Act), these special efforts (1) are consistent with the guidance in Appendix A to 49 CFR Part 27, Sub-part D and (2) have been made within the effective date of 49 CFR 27.77. For recipients of funds under Section 18 of the UMT Act, the transportation resulting from these special efforts is reasonable in comparison to the transportation provided to the general public and meets a significant fraction of the actual transportation needs of such persons within a reasonable time.


Thomas A. Peterson
City Manager
City of Lodi

6/14/93
Date

CITY OF LODI - LODI TRANSIT SYSTEM
DISADVANTAGED BUSINESS ENTERPRISES

It is the policy of the City of Lodi that disadvantaged business enterprises, as defined in 49 CFR Part 23, shall have the maximum opportunity to participate in the performance of all aspects of contracting, relating to procurement, construction, and personal services. The City is fully committed to substantially increasing disadvantaged business utilization and participation in all phases of the City's procurement, construction and personal services contracting.

CITY OF LODI - LODI TRANSIT SYSTEM

EQUAL EMPLOYMENT OPPORTUNITY

It is the policy of the City of Lodi to promote the full realization of equal employment opportunity. Bidders must comply with all applicable Affirmative Action and Equal Employment Opportunity requirements. Vendors are selected who will insure that appropriate equal employment opportunities are available to individuals without regard to race, color, religion, sex, age, national origin, marital status or handicap.

DEPARTMENT OF TRANSPORTATION TITLE VI ASSURANCE

The City of Lodi (hereinafter referred to as the "Recipient") HEREBY AGREES THAT as a condition to receiving any Federal financial assistance from the Department of Transportation it will comply with Title VI of the Civil Rights Act of 1964, 78 Stat. 252, 42 U.S.C. 2000d-42 U.S.C. 2000d-4 (hereinafter referred to as the "Act"), and all requirements imposed by or pursuant to Title 49, Code of Federal Regulations, Department of Transportation, Subtitle A, Office of the Secretary, Part 21, Nondiscrimination in Federally-assisted Programs of the Department of Transportation - Effectuation of Title VI of the Civil Rights Act of 1964 (hereinafter referred to as the "Regulations"), and other pertinent directives, to the end that, in accordance with the Act, Regulations, and other pertinent directives, no person in the United States shall, on the grounds of race, color, sex, or national origin, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity for which the Recipient receives Federal financial assistance from the Department of Transportation, including the Federal Transit Administration (FTA), and HEREBY GIVES ASSURANCE that it will promptly take any measures necessary to effectuate this agreement. This assurance is required by subsection 21.7(a) of the Regulations.

More specifically, and without limiting the above general assurance, the Recipient hereby gives the following specific assurance with respect to its Federal Urban Mass Transportation Program:

1. That the Recipient agrees that each "program" and each "facility", as defined in subsections 21.23(b) and 21.23(e) of the Regulations, will be (with regard to a "program") conducted or will be (with regard to a "facility") operated in compliance with all requirements imposed by, or pursuant to, the Regulations.

2. That the Recipient shall insert the following notification in all solicitations for bids for work or material subject to the Regulations and made in connection with all Federal Urban Mass Transportation Programs and, in adapted form, in all proposals for negotiated agreements:

The City of Lodi, in accordance with Title VI of the Civil Rights Act of 1964, 78 Stat. 252, 42 U.S.C. 2000d to 2000d-4 and Title 49, Code of Federal Regulations, Department of Transportation, Subtitle A, Office of the Secretary, Part 21, Nondiscrimination in Federally-assisted programs of the Department of Transportation issued pursuant to such Act, hereby notifies all bidders that it will affirmatively insure that, in regard to any contract entered into pursuant to this advertisement, minority business enterprises will be afforded full opportunity to submit bids in response to this invitation

and will not be discriminated against on the grounds of race, color, sex, or national origin in consideration for an award.

3. That the Recipient shall insert the clauses of Attachment A of this assurance in every contract subject to the Act and the Regulations.

4. That the Recipient shall insert the clauses of Appendix B of this assurance, as a covenant running with the land, in any deed from the United States effecting a transfer of real property, structures, or improvements thereon, or interest therein.

5. That where the Recipient receives Federal financial assistance to construct a facility, or part of a facility, the assurance shall extend to the entire facility and facilities operated in connection therewith.

6. That where the Recipient receives Federal financial assistance in the form, or for the acquisition of real property or an interest in real property, the assurance shall extend to rights to space on, over, or under such property.

7. That where the Recipient receives Federal financial assistance to carry out a program of managerial training under Section 10(a) of the Urban Mass Transportation Act of 1964, as amended, the assurance shall obligate the Recipient to make selection of the trainee or fellow without regard to race, color, sex or national origin.

8. That where the Recipient receives Federal financial assistance to carry out a program under the Urban Mass Transportation Act of 1964, as amended, the assurance shall obligate the Recipient to assign transit operators, and to furnish transit operators, for charter purposes without regard to race, color, sex, or national origin.

9. That where the Recipient receives Federal financial assistance to carry out a program under the Urban Mass Transportation Act of 1964, as amended, routing, scheduling, quality of service, frequency of service, age and quality of vehicles assigned to routes, quality of stations serving different routes, and location of routes may not be determined on the basis of race, color, sex, or national origin.

10. That the Recipient shall include the appropriate clauses set forth in Appendix C of this assurance, as a covenant running with the land, in any future deeds, leases, permits, licenses, and similar agreements transfer into by the Recipient with other parties: (a) for the subsequent transfer of real property acquired or improved under N/A ; and (b) for the construction or use of or access to space on, over, or under real property acquired, or improved under N/A .

11. That the assurance obligates the Recipient for the period during which Federal financial assistance is extended to the project, except where the Federal financial assistance is to provide, or is in the form of, personal property, or real property or interest therein, or structures or improvements thereon, in which case, the assurance obligates the Recipient or any transferee for the longer of the following periods: (a) The period during which the property is used for the purpose for which the Federal financial assistance is extended, or for another purpose involving the provision of similar services or benefits; or (b) The period during which the Recipient retains ownership or possession of the property.

12. The Recipient shall provide for such methods of administration for the program as are found by the Secretary of Transportation or the official to whom he/she delegates specific authority to give reasonable guarantee that it, other Recipients, subgrantees, contractors, subcontractors, transferees, successors in interest, and other participants of Federal financial assistance under such program will comply with all requirements imposed or pursuant to the Act, the Regulations, and this assurance.

13. The Recipient agrees that the United States has a right to seek judicial enforcement with regard to any matter arising under the Act, the Regulations, and this assurance.

THIS ASSURANCE is given in consideration of and for the purpose of obtaining any and all Federal grants, loans, contracts, property, discounts, or other Federal financial assistance extended after the date hereof to the Recipient by the Department of Transportation under Federal Urban Mass Transportation Programs and is binding on it, other Recipients, subgrantees, contractors, subcontractors, transferees, successors in interest, and other participants in the Federal Urban Mass Transportation Program. The person whose signature appears below is authorized to sign this assurance on behalf of the Recipient.

DATE: June 14, 1993

City of Lodi

By: Thomas A. Peterson
Thomas A. Peterson, City Manager

Attachment

UMTA C 4702.1
5-26-88

APPENDIX A TO TITLE VI ASSURANCE

During the performance of this contract, the contractor, for itself, its assignee, and successors in interest (hereinafter referred to as the "Contractor") agrees as follows:

1. Compliance with Regulations The Contractor shall comply with the Regulations relative to nondiscrimination in federally-assisted programs of the Department of Transportation (hereinafter, "DOT") Title 49, Code of Federal Regulations, Part 21, as they may be amended from time to time (hereinafter referred to as the "Regulations"), which are herein incorporated by reference and made a part of this contract.
2. Nondiscrimination The Contractor, with regard to the work performed by it during the contract, shall not discriminate on the grounds of race, color, sex, or national origin in the selection and retention of subcontractors, including procurements of materials and leases of equipment. The Contractor shall not participate, either directly or indirectly, in the discrimination prohibited by Section 21.5 of the Regulations, including employment practices when the contract covers a program set forth in Appendix B of the Regulations.
3. Solicitations for Subcontracts, Including Procurements of Materials and Equipment In all solicitations, either by competitive bidding or negotiation, made by the Contractor for work to be performed under a subcontract, including procurements of materials or leases of equipment, each potential subcontractor or supplier shall be notified by the Contractor of the Contractor's obligations under this contract and the Regulations relative to nondiscrimination on the grounds of race, color, sex, or national origin.
4. Information and Reports The Contractor shall provide all information and reports required by the Regulations or directives issued pursuant thereto, and shall permit access to its books, records, accounts, other sources of information, and its facilities as may be determined by the Recipient or UMTA to be pertinent to ascertain compliance with such Regulations, orders and instructions. Where any information required of a Contractor is in the exclusive possession of another who fails or refuses to furnish this information, the Contractor shall so certify to the Recipient or UMTA, as appropriate, and shall set forth what efforts it has made to obtain this information.

5. Sanctions for Noncompliance In the event of the Contractor's noncompliance with the nondiscrimination provisions of this contract, the Recipient shall impose such contract sanctions as it or UMTA may determine to be appropriate, including, but not limited to:
- a. Withholding of payments to the Contractor under the contract until the Contractor complies and/or
 - b. Cancellation, termination or suspension of the contract in whole or in part.
6. Incorporation of Provisions The Contractor shall include the provisions of paragraphs 1. through 6. in every subcontract, including procurements of materials and leases of equipment, unless exempt by the Regulations or directives issued pursuant thereto. The Contractor shall take such action with respect to any subcontract or procurement as the Recipient or UMTA may direct as a means of enforcing such provisions, including sanctions for non-compliance, provided, however, that in the event a Contractor becomes involved in, or is threatened with, litigation with a subcontractor or supplier as a result of such direction, the Contractor may request the Recipient to enter into such litigation to protect the interests of the Recipient and, in addition, the Contractor may request the United States to enter into such litigation to protect the interests of the United States.

UMTA C 4702.1
5-26-88

APPENDIX B TO TITLE VI ASSURANCE

The following clauses shall be included in any and all deeds effecting or recording the transfer of real property, structures or improvements thereon, or interest therein from the United States.

(GRANTING CLAUSE)

NOW, THEREFORE, the Department of Transportation, as authorized by law, and upon the condition that the City of Lodi will accept title to the lands and maintain the project constructed thereon, in accordance with the Urban Mass Transit Act of 1964, the Regulations from the Administration of the Federal Urban Mass Transportation Program and the policies and procedures prescribed by FTA of the Department of Transportation and, also in accordance with and in compliance with all requirements imposed by or pursuant to Title 49, Code of Federal Regulations, Department of Transportation, Subtitle A, Office of the Secretary Part 21, Nondiscrimination in Federally-Assisted Programs of the Department of Transportation (hereinafter referred to as the Regulations) pertaining to and effectuating the provisions of Title VI of the Civil Rights Act of 1964 (78 Stat. 252; 42 U.S.C. 2000d to 2000d-4), does hereby remise, release, quitclaim and convey unto the City of Lodi all the right, title and interest of the Department of Transportation in and to said lands described in Exhibit "A" attached hereto and made a part hereof.

(HABENDUM CLAUSE)

TO HAVE AND TO HOLD said lands and interests therein unto the City of Lodi and its successors forever, subject, however, to the covenants, conditions, restrictions and reservations herein contained as follows, which will remain in effect for the period during which the real property or structures are used for a purpose for which Federal financial assistance is extended or for another purpose involving the provision of similar services or benefits and shall be binding on the City of Lodi, its successors and assigns.

The City of Lodi, in consideration of the conveyance of said lands and interests in lands, does hereby covenant and agree as a covenant running with the land for itself, its successors and assigns, that (1) no person shall on the grounds of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination with regard to any facility located wholly or in part on, over or under such lands hereby conveyed [,] [and]* (2) that the City of Lodi shall use the lands and interests in lands so conveyed, in compliance with all requirements imposed by or pursuant to Title 49, Code of Federal Regulations, Department of Transportation, Subtitle A, Office of the Secretary, Part 21, Nondiscrimination in Federally Assisted Programs of the Department of Transportation -

Effectuation of Title VI of the Civil Rights Act of 1964, and as said Regulations may be amended, and (3) that in the event of breach of any of the above mentioned nondiscrimination conditions, the Department shall have a right to re-enter said lands and facilities on said land, and the above described land and facilities shall thereon revert to and vest in and become the absolute property of the Department of Transportation and its assigns as such interest existed prior to this instruction.*

- * Reverter clause and related language to be used only when it is determined that such a clause is necessary in order to effectuate the purposes of Title VI of the Civil Rights Act of 1964.

UMTA C 4702.1
5-26-88

APPENDIX C TO TITLE VI ASSURANCE

The following clauses shall be included in all deeds, licenses, leases, permits, or similar instruments entered into by the City of Lodi pursuant to the provisions of Assurance 7(a).

The (grantee, licensee, lessee, permittee, etc., as appropriate) for herself/ himself, his/her heirs, personal representatives, successors in interest, and assigns, as a part of the consideration hereof, does hereby covenant and agree (in the case of deeds and leases add "as a covenant running with the land") that in the event facilities are constructed, maintained, or otherwise operated on the said property described in this deed, license, lease, permit, etc. for a purpose for which a Department of Transportation program or activity is extended or for another purpose involving the provision of similar services or benefits, the grantee, licensee, lessee, permittee, etc. shall maintain and operate such facilities and services in compliance with all other requirements imposed pursuant to Title 49, Code of Federal Regulations, Department of Transportation, Subtitle A, Office of the Secretary, Part 21, Nondiscrimination of federally-assisted programs of the Department of Transportation - Effectuation of Title VI of the Civil Rights Act of 1964, and as said Regulations may be amended.

(Include in Licenses, leases, permits, etc.) *

That in the event of breach of any of the above nondiscrimination covenants, the City of Lodi shall have the right to terminate the license, lease, permit, etc. and to reenter and repossess said land and the facilities thereon, and hold the same as if said license, lease, permit, etc. had never been made or issued.

(Include in deeds) *

That in the event of breach of any of the above nondiscrimination covenants, the City of Lodi shall have the right to re-enter said lands and facilities thereon, and the above described lands and facilities shall thereupon revert to and vest in and become the absolute property of the City of Lodi and its assigns.

The following shall be included in all deeds, licenses, leases, permits, or similar agreements entered into by the City of Lodi pursuant to the provisions of Assurance 7(b).

The (grantee, licensee, lessee, permittee, etc., as appropriate) for herself/ himself, his/her personal representatives, successors in interest, and assigns, as a part of the consideration hereof, does hereby covenant and agree (in case of deeds, and leases add "as a covenant running with the land") that (1) no person on the grounds of race, color, or national origin shall be excluded from participation in, be denied the benefits of, or be otherwise

subjected to discrimination in the use of said facilities, (2) that in the construction of any improvements on, over or under such land and the furnishing of services thereon, no person on the grounds of race, color, or national origin shall be excluded from the participation in, be denied the benefits of, or be otherwise subjected to discrimination, (3) that the grantee, licensee, lessee, permittee, etc. shall use the premises in compliance with all other requirements imposed by or pursuant to Title 49, Code of Federal Regulations, Department of Transportation, Subtitle A, Office of the Secretary, Part 21, Nondiscrimination in Federally-assisted programs of the Department of Transportation - Effectuation of Title VI of the Civil Rights Act of 1964, and as said Regulations may be amended.

(Include in licenses, leases, permits, etc.) *

That in the event of breach of any of the above nondiscrimination covenants, the City of Lodi shall have the right to terminate the license, lease, permit, etc. and to re-enter and repossess said land and the facilities thereon, and hold the same as if said license, lease, permit, etc. had never been made or issued.

(Include in deeds) *

That in the event of breach of any of the above nondiscrimination covenants, the City of Lodi shall have the right to re-enter said land and facilities thereon, and the above described lands and facilities shall thereupon revert to and vest in and become the absolute property of the City of Lodi and its assigns.

* Reverter clause and related language to be used only when it is determined that such a clause is necessary in order to effectuate the purpose of Title VI of the Civil Rights Act of 1964.

UMTA C 4702.1
5-26-88

FEDERAL TRANSIT ADMINISTRATION CIVIL RIGHTS ASSURANCE

The City of Lodi HEREBY CERTIFIES THAT, as a condition of receiving Federal financial assistance under the Urban Mass Transportation Act of 1964, as amended, it will ensure that:

1. No person on the basis of race, color, or national origin will be subjected to discrimination in the level and quality of transportation services and transit-related benefits.
2. The City of Lodi will compile, maintain, and submit in a timely manner, a Title VI information required by UMTA Circular 1160.1A and in compliance with the Department of Transportation's Title VI regulation, 49 CFR Part 21.9.
3. The City of Lodi will make it known to the public that those person or persons alleging discrimination on the basis of race, color, or national origin as it relates to the provision of transportation services and transit-related benefits may file a complaint with the Federal Transit Administration and/or the U.S. Department of Transportation.

The person whose signature appears below is authorized to sign this assurance on behalf of the grant applicant or recipient.

THOMAS A PETERSON, CITY MANAGER

JUNE 14, 1993


Thomas A. Peterson

6/14/93
Date

UMTA C 1160.1A
9-18-87

CITY OF LODI - LODI TRANSIT SYSTEM
CERTIFICATION OF COMPLIANCE WITH EQUAL OPPORTUNITY
EMPLOYMENT LAWS AND REGULATIONS

The City of Lodi hereby certifies that it is in compliance with all applicable laws and regulations concerning Equal Employment Opportunity programs.


Thomas A. Peterson
City Manager
City of Lodi

6/14/93
Date

7

**ASSURANCE CONCERNING NONDISCRIMINATION
ON THE BASIS OF HANDICAP
IN FEDERALLY-ASSISTED PROGRAMS AND ACTIVITIES
RECEIVING OR BENEFITTING FROM FEDERAL FINANCIAL ASSISTANCE**

(Department of Transportation)

The City of Lodi (the "Recipient") AGREES THAT, as a condition to the approval or extension of any Federal financial assistance from the United States Department of Transportation to construct any facility, or to participate in or obtain any benefit from any program administered by the Department, to which the Department's regulation set forth in Title 49, Code of Federal Regulations, Department of Transportation, Subtitle A, Office of the Secretary, Part 27--"Nondiscrimination on the basis of Handicap in Programs and Activities Receiving or benefitting from /Federal Financial Assistance" (the "Regulation") applies, no otherwise qualified handicapped person shall, solely by reason of his handicap, be excluded from participation in, be denied the benefits of, or otherwise be subjected to discrimination under any program or activity that receives or benefits from Federal financial assistance administered by the Department of Transportation, including the Federal Transit Administration, and GIVES ASSURANCE that it will conduct any program or operate any facility so assisted in compliance with all of the requirements imposed by the Regulation, or any directive issued pursuant to that Regulation.

DATE: June 14, 1993

City of Lodi

By: Thomas A. Peterson
Thomas A. Peterson, City Manager

7


CITY OF LODI - LODI TRANSIT SYSTEM

CERTIFICATION REGARDING DEBARMENT, SUSPENSION, AND OTHER
RESPONSIBILITY MATTERS - PRIMARY COVERED TRANSACTIONS

The Primary Participant, City of Lodi, certifies to the best of its knowledge and belief, that it and its principals:

- (1) Are not presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from covered transactions by any Federal department or agency;
- (2) Have not within a three-year period preceding this proposal been convicted of or had a civil judgement rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (Federal, State or local) transaction or contract under a public transaction; violation of Federal or State antitrust statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements or receiving stolen property;
- (3) Are not presently indicted for or otherwise criminally or civilly charged by a governmental entity (Federal, State or local) with commission of any of the offenses enumerated in paragraph (2) of this certification; and
- (4) Have not within a three year period preceding this application/proposal had one or more public transactions (federal, State or local) terminated for cause of default.

THE PRIMARY PARTICIPANT, THE CITY OF LODI, CERTIFIES OR AFFIRMS THE TRUTHFULNESS AND ACCURACY OF THE CONTENTS OF THE STATEMENTS SUBMITTED ON OR WITH THIS CERTIFICATION AND UNDERSTANDS THAT THE PROVISIONS OF 31 U.S.C. pp 3801 ET. SEQ. APPLICABLE THERETO.


THOMAS A. PETERSON
City Manager


City Attorney

6/14/93
Date

UMTA C 9100.1B
7-1-88

CITY OF LODI - LODI TRANSIT SYSTEM

UMTA CHARTER SERVICE REGULATIONS

I, Thomas A. Peterson, City Manager agree that the City of Lodi - Lodi Transit System and all recipients through the City of Lodi - Lodi Transit System will provide charter service that uses equipment or facilities provided under the Urban Mass Transportation Act of 1964, as amended [49 U.S.C.1601 et seq.] or under 23 U.S.C. 103(e)(4), 142(a) or 142(c) (the Acts) only to the extent that there are no private charter service operators willing and able to provide the charter service that the City of Lodi - Lodi Transit System and all recipients through the City of Lodi - Lodi Transit System desires to provide unless one or more of the exceptions in 49 CFR 604.9 applies.

I further agree that the City of Lodi - Lodi Transit System and all recipients through the City of Lodi - Lodi Transit System will comply with the provisions in 49 CFR Part 604 before they provide any charter service using equipment or facilities provided under the Acts, that the requirements of 49 CFR Part 604 will apply to any such charter service that is provided, and that the definitions in 49 CFR Part 604 apply to this agreement.

APPLICANT

Thomas A. Peterson
Thomas A. Peterson
City Manager
City of Lodi

6/14/93
DATE

FEDERAL TRANSIT ADMINISTRATION

Name
Regional Administrator
Title

DATE

APPENDIX 1

LIST OF STATUTES, REGULATIONS, ADMINISTRATIVE REQUIREMENTS, AND
EXECUTIVE ORDERS APPLICABLE TO CERTAIN UMTA PROGRAMS

[compliance with the following is indicated by a
signed Standard Assurance (Exhibit 1)]

Part I—The following list is applicable to transit assistance projects under Sections 3, 3(a)(1)(C), 4(i), 6, 8, 9, 9B, 10, 16(b)(2), 18 and 20 of the Urban Mass Transportation Act of 1964, as amended, and to transit related projects under sections 103(e)(4) (Interstate Transfer) and 142 (Federal Aid Urban Systems) of Title 23 of the United States Code.

STATUTES

18 U.S.C. Section 1001

which provides criminal sanctions for those who knowingly and willfully provide false information to the Federal Government

Section 3(e) of the UMT Act, 49 U.S.C. Section 1602(e)

which requires, among other things, that the recipient's program of projects provide to the maximum extent feasible for the participation of private mass transportation companies.

Section 3(f) of the UMT Act, 49 U.S.C. Section 1602(f)

which requires the recipient, among other things, to enter into an agreement with UMTA not to provide charter service that will foreclose private operators.

Section 3(g) of the UMT Act, 49 U.S.C. Section 1602(g)

which requires the recipient, among other things, to enter into an agreement with UMTA not to provide exclusive school bus service.

Section 8 of the UMT Act, 49 U.S.C. Section 1607

which provides, among other things, for a continuing, cooperative, and comprehensive planning process in urbanized areas.

Section 8(e) of the UMT Act, 49 U.S.C. Section 1607(e)

which requires the recipient, among other things, to provide to the maximum extent feasible for private enterprise participation in UMTA funded plans and programs.

Section 12(c) of the UMT Act, 49 U.S.C. Section 1608(c)

which sets forth definitions applicable to the grant.

Section 13 of the UMT Act, 49 U.S.C. Section 1609

which requires the recipient, among other things, to comply with applicable provisions for protection of labor.

Section 16 of the UMT Act, 49 U.S.C. Section 1612

which provides, among other things, for the planning and design of mass transportation facilities to meet the special needs of the elderly and handicapped persons.

Section 19 of the UMT Act, 49 U.S.C. Section 1615

which, among other things, prohibits discrimination on the basis of race, color, creed, national origin, sex or age.

Title VI of the Civil Rights Act of 1964, 42 U.S.C. Section 2000 (d)

which, among other things, prohibits discrimination on the basis of race, color or national origin by recipients of Federal financial assistance.

Title VII of the Civil Rights Act of 1964, 42 U.S.C. Section 2000 (e)

which, among other things, prohibits discrimination in employment.

Section 504 of the Rehabilitation Act of 1973, 29 U.S.C. Section 794

which, among other things, prohibits discrimination on the basis of handicap by recipients of Federal financial assistance.

Hatch Act, 5 U.S.C. Section 1501 et seq.

which, among other things, imposes certain restrictions on political activities of recipients of Federal financial assistance.

"Buy America Requirements", Section 165 of the Surface Transportation Assistance Act of 1982, P.L. 97-424, as amended, by Section 337 of the Surface Transportation and Uniform Relocation Assistance Act of 1987, P.L. 100-17

which requires, among other things, that steel and manufactured products procured under UMTA-funded contracts be of domestic manufacture or origin (with certain exceptions).

Davis-Bacon Act, 40 U.S.C. Sections 276a to a-7

which require, among other things, that all mechanics and laborers working on federally assisted construction projects (in excess of \$2,000 contract value) be paid not less often than once a week, at computed wage rates not less than the prevailing wages for similar work in the same geographic area of the project.

Copeland "Anti-Kickback" Act, 18 U.S.C Section 874 and 40 U.S.C. 276c

which, among other things, prohibits payroll deductions from the wages of employees who are covered by the Davis-Bacon Act for any reason except those specifically stated in the Copeland Act.

Work Hours and Safety Standards Act, 40 U.S.C. Sections 327-333

which, among other things, establish the required basis and conditions for hours of work and for overtime pay of laborers and mechanics, and directs the Department of Labor to formulate construction safety and health standards,

National Environmental Policy Act, 42 U.S.C. Section 4321 et seq.

which, among other things, requires study of the environmental impacts of proposed projects that will receive Federal assistance and forbids certain project-related activities taken in anticipation of grant award.

Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, 42 U.S.C. Section 4601 et seq.

which, among other things, establishes the terms and conditions for compensation to property owners and occupants who are displaced as a result of federally assisted projects.

National Historic Preservation Act of 1966, 16 U.S.C. Section 470 et seq.

which, among other things, provides for the protection of national historic sites both while under and in anticipation of federal funding.

Archaeological and Historic Preservation Act of 1966, 16 U.S.C. Section 469a-1 et seq.

which, provides protection for historically valuable property.

Federal Water Pollution Control Act, as amended by the Clean Water Act of 1977, 33 U.S.C. Section 1251, et seq.

which, among other things, establishes a review and permit process for construction projects which affect navigable waters.

Clean Air Act of 1955, as amended, 42 U.S.C. Section 7401 et seq.

which, among other things, mandates State Implementation Plans that often encompass transit projects.

Energy Policy and Conservation Act, 42 U.S.C. Section 6321

which, among other things, authorizes development and implementation of state energy conservation plans.

National Flood Insurance Act of 1969, 42 U.S.C. Section 4011 et seq.

which, among other things, authorizes a national flood insurance program.

Flood Disaster Protection Act of 1973, 42 U.S.C. Section 4012a et seq.

which, among other things, requires the purchase of flood insurance by recipients of Federal financial assistance who are located in areas having special flood hazards.

Architectural Barriers Act of 1968, as amended, 42 U.S.C. Section 4151 et seq.

which, among other things, requires that any building or facility or portion thereof assisted with Federal funds be accessible to the handicapped in accordance with the General Services Administration's Accessibility Standards, 41 CFR Subpart 101-19.6.

REGULATIONS

49 CFR - TRANSPORTATION (issued by the Department of Transportation)

PART

- 18 Uniform Administrative Requirements for Grants and Cooperative Agreements to State and Local Governments
- 21 Nondiscrimination in Federally Assisted Programs of the Department of Transportation - Effectuation of Title VI of the Civil Rights Act
- 23 Participation by Minority Business Enterprise in Department of Transportation Programs
- 25 Uniform Relocation and Real Property Acquisition
- 27 Nondiscrimination on the Basis of Handicap in Programs and Activities Receiving or Benefitting from Federal Financial Assistance
- 29 Debarments, Suspension and Voluntary Exclusions
- 31 Program Fraud
- 604 Charter Service
- 605 School Bus Operations
- 609 Transportation for Elderly and Handicapped Persons
- 613 Planning Assistance and Standards
- 622 Environmental Impact and Related Procedures
- 623 Conformity and Priority Procedures for Use in Federal-Aid Highway and Federally Funded Transit Programs
- 630 Uniform System of Accounts and Records and Recording System
- 661 Buy America Requirements - Surface Transportation Assistance Act of 1982

TITLE 23 CFR - HIGHWAYS
(Issued jointly by the Federal Highway Administration and UMTA)

PART

- 450 Planning Assistance and Standards
- 771 Environmental Impact and Related Procedures

TITLE 5 CFR - ADMINISTRATIVE & PERSONNEL
(Issued by the Office of Personnel Management)

- 151 Political Activity of State or Local Officers or Employees

TITLE 29 CFR - LABOR
(Issued by the Department of Labor)

- 1 Procedures for Predetermination of Wage Rates
- 3 Contractors and Subcontractors on Public Building or Public Work Financed in Whole or in Part by Loans or Grants from the United States
- 5 Labor Standard Provisions Applicable to Contracts Covering Federally Financed and Assisted Construction (also Labor Standards Provisions Applicable to Nonconstruction Contracts Work House Safety Standard Acts)
- 6 Rules of Practice for Administrative Proceedings Labor Standards in Federal and Federally Assisted Construction Contracts and Federal Service Contracts
- 7 Practice Before Wage Appeals Board
- 30 Equal Employment Opportunity in Apprenticeship and Training
- 215 Guidelines, Section 13(c), Urban Mass Transportation Administration Act of 1964, as Amended
- 1926 Occupational Safety & Health Administration, Department of Labor

TITLE 31 CFR - MONEY & FINANCE & TREASURY
(Issued by the Department of Treasury)

- 205 Withdrawal of Cash from Treasury for Advances Under Federal Grant and Other Programs
- 3801 Administrative Remedies for False Claims and Statements

TITLE 36 CFR - PARKS, FORESTS, AND PUBLIC PROPERTY
(Issued by the Advisory Council on Historic Preservation)

- 800 Protection of Historic and Cultural Properties

TITLE 40 CFR - PROTECTION OF ENVIRONMENT
(Issued by the Environmental Protection Agency; Council on Environmental Quality)

- 15 Administration of the Clean Air Act and the Clean Water Act with Respect to Contracts, Grants, and Loans - List of violating Facilities
- 249 Guideline for Federal Procurement of Cement and Concrete Containing Fly Ash
- 1500 Purpose, Policy, and Mandate

TITLE 41 CFR - PUBLIC CONTRACTS AND PROPERTY MANAGEMENT
(Issued by the General Services Administration and the Department of Labor)

PART

- 60 Office of Federal Contract Compliance Programs, Equal Opportunity, Department of Labor
- 101 Accommodations for the Physically Handicapped

TITLE 46 CFR - SHIPPING
(Issued by the Department of Transportation, Maritime Administration, DOT)

- 381 U.S. Flag Vessels

ADMINISTRATIVE REQUIREMENTS

OMB Circular A-21

which establishes cost principles for determining costs applicable to grants, contracts, and other agreements with educational institutions.

OMB Circular A-87

which provides cost principles applicable to grants and contracts with State and local governments.

OMB Circular A-102

which provides uniform requirements for assistance to State and local governments.

OMB Circular A-110

which prescribes uniform administrative requirements for grants and other agreements with institutions of higher education, hospitals, and other nonprofit organizations.

OMB Circular A-122

which establishes principles for determining costs of grants, contracts, and other agreements with nonprofit organizations.

OMB Circular A-128

which applies to audits of State and local governments.

OMB Circular A-129

which applies to the management of Federal credit programs.

EXECUTIVES ORDERS

E. O. 11246, as amended

which establishes requirements in construction activities for contracts over \$10,000.

E. O. 11988

which establishes certain specific requirements related to flood protection and control.

E. O. 12372

which rescinded OMB Circular A-95 and established new requirements contained in FR No. 48, 123, June 24, 1983, pp 29264-29267.. These requirements deal with the notification of State organizations of proposed transit projects and the opportunities for those organizations to review project proposals.

Part II—Two Civil Rights assurances are required of all transit assistance applicants pursuant to Sections 3, 3(a)(1)(C), 4(i), 6, 8, 9, 9B, 10, 16(b)(2), 18 and 20 of the Urban Mass Transportation Act of 1964, as amended, as well as for applications for transit related projects under the Federal Aid Urban Systems and Interstate Transfer Programs (Sections 142 and 103(e)(4), respectively, of Title 23 of the United States Code). The required UMTA Civil Rights Assurance and DOT Title VI Assurance are set forth in Appendices A and B respectively of UMTA Circular 4702.1, titled "Title VI Program Guidelines for Urban Mass Transportation Administration Recipients", dated 5-26-88.

Additionally, applicants may be required to make a certification of Special Efforts to Provide Transportation that Handicapped Persons Can Use and/or to provide a "504 Program Plan". Requirements regarding these submissions are provided in 49 C.F.R. Part 27, Nondiscrimination on the Basis of Handicap in Financial Assistance Programs.

Part III—The following two statutes apply only to transit assistance projects under Section 9 and 9B of the Urban Mass Transportation Act of 1964, as amended.

Section 15(b) of the UMT Act 49 U.S.C. 1611, as amended by section 304(c) of the Federal Public Transportation Act of 1982.

which requires the applicant and beneficiaries of the Section 9 and 9B programs to adhere to both the financial and operating information reporting system and the uniform system of accounts and records.

Title II and Title XVIII of the Social Security Act, 42 U.S.C. 401, et seq. and 42 U.S.C. 1395 et seq. as they pertain to the issuance of Medicare cards.

Part IV--The following general category of program statutes apply only to the transit assistance programs cited herein:

Section 3 of the Urban Mass Transportation Act of 1964, as amended.

APPLICABLE TO: Transit assistance projects under Sections 3, 3(a)(1)(C), and 4(i) of the Urban Mass Transportation Act of 1964, as amended, and all transit related projects under Sections 103(e)(4) and 142 (Interstate Transfer and Federal Aid Urban Systems, respectively) of Title 23 of the United States Code.

Section 4(a) of the Urban Mass Transportation Act of 1964, as amended.

APPLICABLE TO: Transit assistance projects under Section 3 and projects following Section 3 procedures.

Section 9 of the Urban Mass Transportation Act of 1964, as amended.

APPLICABLE TO: Transit Assistance projects under Section 9 of the Urban Mass Transportation Act of 1964, as amended.

Note particularly program specific requirements such as 9(e)(3)(H), Fares and Services, 9(e)(3)(D), Half-Fare Requirement, and 9(g), Audit Requirement.

Section 9B of the Urban Mass Transportation Act of 1964, as amended

APPLICABLE TO: Transit Assistance projects under Section 9B of the Urban Mass Transportation Act of 1964, as amended.

Note that Section 9 program requirements in subsections (a) through (j), (m), and (n) are also applicable to projects funded under 9B.

Section 10 of the Urban Mass Transportation Act of 1964, as amended.

APPLICABLE TO: Training fellowships under Section 10 of the Urban Mass Transportation Act of 1964, as amended.

Section 16(b)(2) of the Urban Mass Transportation Act of 1964, as amended

APPLICABLE TO: Certain transit assistance projects designed to meet the special needs of the elderly and handicapped.

Section 18 of the Urban Mass Transportation Act of 1964, as amended

APPLICABLE TO: Transit assistance projects under Section 18 of the Urban Mass Transportation Act of 1964, as amended.

Section 20 of the Urban Mass Transportation Act of 1964, as amended

APPLICABLE TO: Human Resource Program Assistance projects under Section 20 of the Urban Mass Transportation Act of 1964, as amended.